

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JANELLE EDWARDS, et al.,

Plaintiffs,

-against-

CENTER MORICHES UNION FREE SCHOOL  
DISTRICT, et al.,

Defendants.

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**LINDSAY, Magistrate Judge:**

Before the court is a series of letters from the parties. See Plaintiffs' letters dated April 9, 11 and 16, 2008; Defendant Center Moriches Teachers Association letter dated April 11, 2008, Defendant Tom Krestsos letter April 14, 2008, Defendant Harry Wallace letter, dated April 15, 2008.<sup>1</sup> To the extent that these letters address the circumstances surrounding plaintiffs' March 28<sup>th</sup> letter motion to extend the discovery deadline by 90 days, that issue has been addressed *ad nauseum* and is now moot. See Orders, dated March 31, April 3, and April 9, 2008. Insofar as these defendants collectively seek to limit plaintiffs from supplementing their automatic disclosures, for the reasons that follow, that application is denied.

As a threshold matter, insofar as the moving defendants contend that the plaintiffs' discovery should be limited as a sanction for their counsel's alleged misrepresentation to the court, that application was made by School District defendants and defendant Krestsos by letters dated April 2, April 4, and April 7, 2008, and denied. See Orders, dated March 31, April 3, and April 9, 2008. To the extent that the moving defendants' base their request on plaintiffs' attempt to serve the supplement "on the eve" of Mrs. Edwards' deposition, given that the deposition has been adjourned, defendants can hardly claim prejudice. Moreover, the defendants' request runs counter to obligation to supplement disclosures pursuant to Federal Rules of Civil Procedure 26(e). See Fed. R. Civ. P. 26(e).

Dated: Central Islip, New York  
April 18, 2008

**SO ORDERED:**

\_\_\_\_\_/s/\_\_\_\_\_  
ARLENE ROSARIO LINDSAY  
United States Magistrate Judge

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<sup>1</sup>The court notes that defendants Center Moriches UFSD, Board of Education, Phillip Cicero, Lino Bracco, Michael Cruz, Bill Straub, Marc Trocchio, Veronica Tredwell and Bert Nelso (collectively, the "School District defendants") have not weighed in on this round of correspondence. Their position on these issues is known given that they too had requested that plaintiffs' discovery be limited. See School District defendants' letters, dated April 2 and 4, 2008.